

JS 44C/SDNY  
REV. 06/01/17

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

## PLAINTIFFS

Janet Whang

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
 D. Maimon Kirschenbaum & Denise A. Schulman  
 Joseph & Kirschenbaum LLP  
 32 Broadway, Suite 601, New York, NY 10004 / (212) 688-5640

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
 (DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No  Yes  Judge Previously Assigned \_\_\_\_\_

If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No  Yes 

(PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

		TORTS	ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY	[ ] 625 DRUG RELATED SEIZURE OF PROPERTY	[ ] 422 APPEAL 28 USC 158	[ ] 375 FALSE CLAIMS	[ ] 376 QUI TAM
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT LIABILITY	[ ] 365 PERSONAL INJURY PRODUCT LIABILITY	[ ] 21 USC 881	[ ] 423 WITHDRAWAL	[ ] 400 STATE REAPPORTIONMENT	[ ] 410 ANTITRUST
[ ] 130 MILLER ACT	[ ] 320 ASSAULT, LIBEL & SLANDER	[ ] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[ ] 690 OTHER	[ ] 28 USC 157	[ ] 430 BANKS & BANKING	[ ] 450 COMMERCE
[ ] 140 NEGOTIABLE INSTRUMENT	[ ] 330 FEDERAL EMPLOYERS' LIABILITY				[ ] 460 DEPORTATION	[ ] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
[ ] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[ ] 340 MARINE LIABILITY				[ ] 480 CONSUMER CREDIT	[ ] 490 CABLE/SATELLITE TV
[ ] 151 MEDICARE ACT	[ ] 345 MARINE PRODUCT LIABILITY					
[ ] 152 RECOVERY OF DEFULTED STUDENT LOANS (EXCL VETERANS)	[ ] 350 MOTOR VEHICLE PRODUCT LIABILITY	[ ] 370 OTHER FRAUD	[ ] 820 COPYRIGHTS	[ ] 830 PATENT		
	[ ] 355 MOTOR VEHICLE PRODUCT LIABILITY	[ ] 371 TRUTH IN LENDING	[ ] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION	[ ] 840 TRADEMARK		
[ ] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[ ] 360 OTHER PERSONAL INJURY	[ ] 380 OTHER PERSONAL PROPERTY DAMAGE			SOCIAL SECURITY	
	[ ] 362 PERSONAL INJURY - MED MALPRACTICE	[ ] 385 PROPERTY DAMAGE PRODUCT LIABILITY				
[ ] 160 STOCKHOLDERS SUITS						
[ ] 190 OTHER CONTRACT						
[ ] 195 CONTRACT PRODUCT LIABILITY						
[ ] 196 FRANCHISE	ACTIONS UNDER STATUTES	PRISONER PETITIONS	LABOR	[ ] 861 HIA (1395ff)	[ ] 850 SECURITIES/ COMMODITIES/ EXCHANGE	
	CIVIL RIGHTS	[ ] 463 ALIEN DETAINEE	[ ] 710 FAIR LABOR STANDARDS ACT	[ ] 862 BLACK LUNG (923)		
		[ ] 510 MOTIONS TO VACATE SENTENCE	[ ] 720 LABOR/MGMT RELATIONS	[ ] 863 DIWC/DIWV (405(g))		
		28 USC 2255		[ ] 864 SSID TITLE XVI		
				[ ] 865 RSI (405(g))		
					FEDERAL TAX SUITS	[ ] 890 OTHER STATUTORY ACTIONS
		[ ] 530 HABEAS CORPUS	[ ] 740 RAILWAY LABOR ACT	[ ] 870 TAXES (U.S. Plaintiff or Defendant)		[ ] 891 AGRICULTURAL ACTS
		[ ] 535 DEATH PENALTY	[ ] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	[ ] 871 IRS-THIRD PARTY		
		[ ] 540 MANDAMUS & OTHER	[ ] 791 EMPL RET INC SECURITY ACT (ERISA)	26 USC 7609		
REAL PROPERTY	[ ] 440 OTHER CIVIL RIGHTS (Non-Prisoner)					
[ ] 210 LAND CONDEMNATION	[ ] 441 VOTING					
[ ] 220 FORECLOSURE	[ ] 442 EMPLOYMENT	PRISONER CIVIL RIGHTS	IMMIGRATION			
[ ] 230 RENT LEASE & EJECTION	[ ] 443 HOUSING/ ACCOMMODATIONS	[ ] 550 CIVIL RIGHTS	[ ] 462 NATURALIZATION APPLICATION			
[ ] 240 TORTS TO LAND	[ ] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[ ] 555 PRISON CONDITION	[ ] 465 OTHER IMMIGRATION ACTIONS			
[ ] 245 TORT PRODUCT LIABILITY	[ ] 446 AMERICANS WITH DISABILITIES - OTHER	[ ] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT				
[ ] 290 ALL OTHER REAL PROPERTY	[ ] 448 EDUCATION					

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint

JURY DEMAND:  YES  NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
<input type="checkbox"/> a. all parties represented						<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)
<input type="checkbox"/> b. At least one party is pro se.						

(PLACE AN X IN ONE BOX ONLY)

1 U.S. PLAINTIFF  2 U.S. DEFENDANT  3 FEDERAL QUESTION  4 DIVERSITY  
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [X] 1 [ ] 1	DEF	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] 3 [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [ ] 5 [ ] 5
CITIZEN OF ANOTHER STATE	[ ] 2 [ ] 2		INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4 [ * ] 4	FOREIGN NATION	[ ] 6 [ ] 6

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

D. Maimon Kirschenbaum / Denise A. Schulman  
 C/O Joseph & Kirschenbaum LLP  
 32 Broadway, Suite 601  
 New York, NY 10004  
 New York County

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Barbizon School Of Modeling Of Manhattan, Inc  
 1384 Broadway, 17th Floor  
 New York, NY 10018  
 New York County

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

## COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO:  WHITE PLAINS  MANHATTAN

DATE 10/23/18

SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

[X] YES (DATE ADMITTED Mo. 06 \_\_\_\_\_ Yr. 2009 \_\_\_\_\_)  
Attorney Bar Code # DS-8066

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)